

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

ASHEVILLE DIVISION

JANE ROE,)
)
)
Plaintiff,)
)
)
v.) **Civil No. 1:20-cv-00066-WGY**
)
UNITED STATES OF AMERICA, *et al.*,)
)
)
Defendants.)
)
)
)

NOTICE OF WITHDRAWAL OF PLAINTIFF'S MOTION TO SEAL HER REPLY

On behalf of Plaintiff Jane Roe (“Roe”), the undersigned counsel hereby notifies the Court she is withdrawing her pending motion to seal (ECF No. 83) the “Plaintiff’s Reply In Support Of Her Motion For Partial Summary Judgment Against The Official Capacity And Entity Defendants” (ECF No. 84). In conjunction with this Notice, Roe will refile her reply on the public docket.

On October 2, 2020, the official capacity and entity defendants filed a response in opposition to Roe’s motion for partial summary judgment, including declarations and exhibits. ECF No. 78. As Roe previously explained, “[t]wo of the three FDO employee declarations disclosed Roe’s true name and all three declarations revealed her personally identifying information, which resulted in defendants’ summary judgment opposition materials being sealed at defense counsel’s request.” ECF No. 90-1, at 7 (October 16, 2020 Motion to Strike); *see also* Docket Entry at ECF No. 78 (noting that docket was “modified” “to restrict access . . . to case participants and the Court” following email request by defendants’ counsel).

On October 9, 2020, Roe timely filed a reply brief in support of her motion for partial summary judgment against the official capacity and entity defendants. ECF No. 84. As of that date, defendants' opposition response, including the memorandum and attachments, remained sealed. Because Roe's reply directly responded to defendants' sealed opposition response memorandum and attachments, Roe filed her reply under seal. ECF No. 83.

On October 22, 2020, defendants refiled their amended summary judgment opposition materials on the public docket. *See* Docket Entry at ECF No. 78. Because those materials are no longer under seal, there is no longer any reason to seal Roe's reply. Therefore, in conjunction with this Notice, Roe is refiling her reply in support of her partial summary judgment motion publicly.

This the 23rd day of October, 2020.

Respectfully Submitted,

/s/ Cooper Strickland
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of October, 2020, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Gill P. Beck at Gill.Beck@usdoj.gov

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